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Attorney for Plaintiff
 LESLIE BARNES MARKS

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

LESLIE BARNES MARKS, an individual,)	
)	No. C07-2133 SI
Plaintiff,)	
vs.)	
)	
OCWEN LOAN SERVICING, LLC, a)	STIPULATION TO CONTINUE MOTION
Delaware Limited Liability Corporation; DB)	TO DISMISS AND CASE MANAGEMENT
STRUCTURED PRODUCTS, INC., a)	CONFERENCE AND ORDER THEREON
Delaware Corporation; and DOES 1-100,)	
inclusive)	
)	
Defendants.)	

Plaintiff LESLIE BARNES MARKS and Defendants OCWEN LOAN SERVICING, LLC and DB STRUCTURED PRODUCTS, INC., by and through their counsel, hereby stipulate that the hearing on Defendants' Motion to Dismiss hereby be continued from January 15, 2008 to February 1, 2008. In addition, the parties hereby stipulate that the January 25, 2008 Case Management Conference be continued in light of the continuance of the Motion to Dismiss.

The hearing on Defendants' Motion to Dismiss was originally scheduled for January 4, 2008. However, due to the court's unavailability, the matter was continued by the court to January 15, 2008. As Plaintiff's counsel has a conflict on January 15, 2008, the parties hereby stipulate that the hearing be continued to February 1, 2008.

The parties also hereby stipulate that Plaintiff will file the Opposition to Defendants'

Motion to Dismiss by January 7, 2008 (rather than by the required January 11, 2008 deadline). The parties further agree that Defendants' Reply shall be due on or before January 18, 2008 (the standard 14 day deadline). In addition, the parties stipulate that all counsel shall be allowed to appear by telephone at the hearing on the Motion to Dismiss if so desired.

It is further requested that the January 25, 2008 Case Management Conference be continued until sometime after the February 1, 2008 hearing, preferably March 2008, so as to allow a ruling on the Motion to Dismiss and allow Defendants to file any responsive pleading to the Amended Complaint as may be appropriate prior to the Case Management Conference. Defendants' counsel is unavailable for a Case Management Conference during the last two weeks of February. It is more efficient for all parties and the court to reschedule the Case Management Conference to March 2008 so that any appropriate answer by Defendants can be filed, and so that the appropriate trial dates and other trial setting orders can be made after the hearing on the Motion to Dismiss.

The parties also stipulate that the January 17, 2008 ADR teleconference be continued to sometime after the February 1, 2008 hearing on the Motion to Dismiss but before the newly scheduled Case Management Conference. The parties will contact the ADR office and reschedule the teleconference to a mutually agreeable date.

IT IS SO STIPULATED.

Dated: November 27, 2007

s/Linnea N. Willis

Linnea N. Willis
Attorney for Plaintiff
LESLIE BARNES MARKS

Dated: November 27, 2007

s/Jeffrey S. Allison

Jeffrey S. Allison
Attorney for Defendants
OCWEN LOAN SERVICING, DB STRUCTURED
PRODUCTS, INC.

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STIPULATION TO CONTINUE MOTION TO DISMISS AND CASE MANAGEMENT CONFERENCE

LESLIE BARNES MARKS v. OCWEN LOAN SERVICING, LLC et. al.

U.S. DISTRICT COURT CASE NO. C07-02133 SI

ORDER THEREON

Upon review of the above Stipulation, the parties' request to continue the Motion to Dismiss and the Case Management Conference is GRANTED.

IT IS HEREBY ORDERED THAT Defendants' Motion to Dismiss is hereby continued from January 15, 2008 to February 1, 2008. Further, Plaintiff shall file its Opposition on or before January 7, 2008 per the agreement of counsel. Defendants' Reply shall be filed on the regularly scheduled date of January 18, 2008. Counsel shall be allowed to appear by telephone at the hearing on the Motion to Dismiss.

IT IS FURTHER ORDERED THAT the Case Management Conference scheduled on January 25, 2008 at 2:00 p.m. is hereby vacated. The Case Management Conference shall now be heard on 3/14/08, 2008 at 2:30 p.m.

IT IS FURTHER ORDERED THAT the parties shall contact the ADR office and reschedule the January 17, 2008 ADR teleconference to an appropriate date agreeable to the parties and the ADR office in light of this Order.

IT IS SO ORDERED.

Dated: November ____, 2007



HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE